

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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LITTLE WING L.P., et al.,

Plaintiffs,

-against-

05 Civ. 3589 (LAK)

CLEAN FUELS TECHNOLOGY, INC., et ano.,

Defendants.
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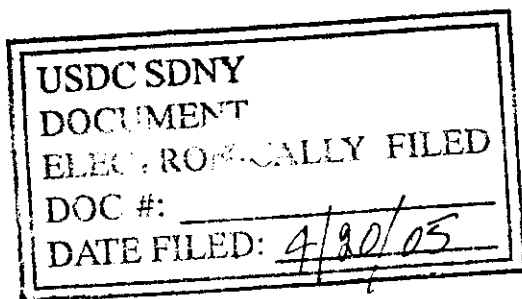
ORDER

LEWIS A. KAPLAN, *District Judge.*

This is an action for fraud and breach of contract. Jurisdiction allegedly rests on diversity of citizenship. The complaint, however, fails adequately to allege the citizenship of plaintiffs Little Wing L.P. and Tradewinds Fund, Ltd. and defendant Gunnerman. *See, e.g., Carden v. v. Arkoma Associates*, 494 U.S. 185, 195-96 (1990); *Sun Printing & Publishing Ass'n v. Edwards*, 194 U.S. 377 (1904); *Leveraged Leasing Administration Corp. v. PacifiCorp Capital, Inc.*, 87 F.3d 44 (2d Cir. 1996); *Deparadine v. Nissan Infiniti LT*, No. 00 Civ. 6686 (LAK), 2000 WL 1280971, at *1 (S.D.N.Y. Sept. 11, 2000). Accordingly, absent the filing, on or before April 29, 2005, of an amended complaint adequately alleging the existing of subject matter jurisdiction, the action will be dismissed.

SO ORDERED.

Dated: April 19, 2005



A handwritten signature in black ink, appearing to read "Lewis A. Kaplan".

Lewis A. Kaplan
United States District Judge